

ATTACHMENT B

REQUEST FOR INFORMATION

- 1) The following question pertains to Oberwill Corporation with an address of 366-394 Wilson Avenue in Newark, New Jersey. If Oberwill Corporation did business under more than one name, answer the questions below for each company.

a) State the legal name of the company.

Oberwil Corporation. See attached Corporate Status Report from NJ Secretary of State. Oberwil Corporation does not conduct business under any other name.

b) State the name and address of the president or the chairman of the board, or other presiding officers of the company.

Alexander Decter, CEO [REDACTED] See attached Corporate Status Report from NJ Secretary of State. As discussed infra, Mr. Decter, grandson of Decedent Rosalyn Rueff, was named to acquire 50% of the shares of Oberwil Corporation by way of a bequest of the Estate of Rosalyn Rueff; Janine Decter, daughter of Decedent Rosalyn Rueff, was named to acquire 50% of the shares of Oberwil Corporation by way of a bequest of the Estate of Rosalyn Rueff.

c) Identify the state of incorporation of the company and the company's agent for service of process in the state of incorporation and in New Jersey.

As listed in the attached NJ Secretary of State Business Gateway Service Record, Oberwil Corporation is a New Jersey Domestic Profit. The registered agent is Rosalyn Rueff [REDACTED] However, Ms. Rueff is deceased as of June 16, 2020. Please contact Oberwil Corporation via Victor Herlinsky, Esq. Sills Cummis & Gross P.C. 1 Riverfront Plaza Newark, N.J. vherlinsky@sillscummis.com 973-643-7000. See attached Corporate Status Report from NJ Secretary of State.

- 2) Does Oberwill Corporation own the property at 366-394 Wilson Avenue in Newark, New Jersey? If so, from whom did your company purchase the property and in what year? Please describe the relationship, if any, between Oberwill Corporation and any of the parties that operated the facility prior to Oberwill.

Yes. Oberwil Corporation owns the subject property which it acquired title by Deed from Frema Smelting and Refining Co., Inc. dated December 29, 1983, recorded December 30, 1983 in Deed Book 4812 Page 849. See attached Title Report. To the best of the Declarant's knowledge, Oberwil Corporation did not have any relationship with Frema Smelting and the transfer of title was an arm's length transaction of a willing buyer and a willing seller. Based on the Declarant's recollection, since the time that Oberwil Corporation acquired the property, the only entity that operated at the site was an entity known as Globe Metals, Inc. See attached Corporate Status Report from NJ Secretary of State; see also attached property survey. According to corporate records with the NJ Secretary of State, Globe Metals was formed on or about December 3, 1976. To the best of the Declarant's knowledge, Globe Metals was founded

by Alfred H. Rueff (deceased as of August 24, 2002) as a scrap metal business, but did not process or do anything else besides collect, temporarily store and sell scrap metal. See attached Estate of Alfred H. Rueff packet (redacted for social security numbers). When Alfred H. Rueff died, the shares passed to his wife Rosalyn and a testamentary trust (created in Alfred H. Rueff's will) for Rosalyn Rueff's benefit. As noted previously, Rosalyn Rueff died on June 16, 2020. Pursuant to the terms of her will, the shares pass equally to her daughter Janine Decter and Rosalyn Rueff's grandson Alexander Decter. Globe Metals is now defunct.

Please be advised that Oberwil Corporation and Declarant respectfully request and assert the estate documents and filings stamped "Confidential" be treated as "Confidential" and handled consistent with the highest level of confidentiality permitted by law. We ask that this remain in effect permanently and note that we have taken steps to preserve the confidentiality as far as legally permitted. The Declarant certifies that all claims for confidentiality asserted with this submission are true and correct, and all information submitted herein to substantiate such claims is true and correct. To the extent applicable, the Declarant further certifies that: (1) I have taken reasonable measures to protect the confidentiality of the information; (2) I have determined that the information is not required to be disclosed or otherwise made available to the public under any other Federal law; (3) I have a reasonable basis to conclude that disclosure of the information is likely to cause substantial harm to the competitive position of my company; and (4) I have a reasonable basis to believe that the information is not readily discoverable otherwise.

- 3) Is Oberwill Corporation a subsidiary or affiliate of another company? If yes, please identify the name of each such related company. For each related company, describe the relationship to Oberwill Corporation and indicate the date and manner in which each relationship was established.

No.

- 4) What year did Oberwill Corporation begin to operate at 366-394 Wilson Avenue in Newark, New Jersey ("the facility")? What year did Oberwill Corporation cease operations?

Oberwil Corporation never operated at the site except as the owner. In short, it has always been a real estate holding company. Based on the recollection of family members, we are unable to say when Globe Metals ceased operations, but it has not been operating recently and was never operating after the execution and delivery of the Purchase and Sale Agreement.

- 5) Please provide a copy of the deed or deeds to the property or properties that comprise the facility. If the property(ies) is/are held in the name of another entity, please describe the name of the entity, its relationship to Oberwill Corporation and list the company president or chairman of the board or other presiding officers of that company.

Please see attached Title Report. Please also see response to request # 1, above.

- 6) If this information has not already been previously provided, please describe how the name Globe Metals is connected with the facility and if Globe Metals has any relationship with Oberwill Corporation.

As noted under response # 4 above, Alfred Rueff owned and operated Globe Metals. To the best of Declarant's knowledge and belief, Rosalyn Rueff was the sole owner of Oberwil Corporation, as a real estate holding company, until the date of her death. Her estate is currently the owner of Oberwil Corporation.

- 7) If this information has not already been previously provided, please describe how the name Frema Smelting is connected with the facility and if Frema Smelting has any relationship with Oberwil Corporation.

Frema Smelting is the predecessor in title at the property and, upon information and belief, there is otherwise no other relationship with Oberwil Corporation or Globe Metals.

- 8) Did Oberwil Corporation or any related company at the facility receive, utilize, manufacture, discharge, release, store or dispose of any materials containing the following substances at the facility:

	Yes	No
2,3,7,8 tetrachlorodibenzo-p-dioxin	_____	_____
or other dioxin compounds	_____	_____
Dichlorodiphenyl-trichloroethate (DDT)	_____	_____
Benzene	_____	_____
Ethyl benzene	_____	_____
Total Petroleum Hydrocarbons (TPH)	_____	_____
Polyaromatic Hydrocarbons (PAH)	_____	_____
If "yes", please list the specific compounds.		
Xylene	_____	_____
Toluene	_____	_____
PCBs	_____	_____
Arsenic	_____	_____
Cadmium	_____	_____
Chromium	_____	_____
Copper	_____	_____
Lead	_____	_____
Mercury	_____	_____
Silver	_____	_____

To the best of the Declarant's knowledge and belief, Oberwil Corporation never operated at the site and therefore it never received, utilized, etc. any of the identified substances. Declarant has no knowledge as to whether Globe Metals received, utilized, etc. such substances, but it should be noted that, upon information and belief, Globe Metals was in the scrap metal business and did not engage in any manufacturing processes.

- 9) For the time period during which Oberwill Corporation was in operation at the facility:
- a) please describe the manufacturing processes for which the hazardous substances, including, but not limited to, any substances listed in response to item (8), were a product or by-product.
 - b) During what parts of the manufacturing processes identified in the response to question (9)(a), above, were hazardous substances, including, but not limited to, the substances listed in response to question (8), generated?
 - i) Describe the chemical composition of these hazardous substances.
 - ii) For each process, what amount of hazardous substances was generated per volume of finished product?
 - iii) Were these hazardous substances combined with wastes from other processes? If so, please identify such wastes and the other processes

Please see response # 8, above. Declarant has no first-hand knowledge of what was done or not done at the property respecting operations, etc.

- 10) Describe the methods of collection, storage, treatment, and disposal of all hazardous substances at the facility, including, but not limited to, the substances identified in response to questions (8) and (9). Include information on the following:
- a) Identify all persons who arranged for and managed the processing, treatment, storage and disposal of hazardous substances.
 - b) If hazardous substances were taken off-site by a hauler or transporter, provide the names and addresses of the waste haulers and the disposal site locations.
 - c) Describe all storage practices employed at the facility with respect to all hazardous substances from the time operations commenced until they terminated.
 - i) If drums were stored outside, were the drums stored on the ground or were they stored on areas that had been paved with asphalt or concrete? Please provide a complete description of these storage areas.
 - ii) When drums were stored outside, were empty drums segregated from full drums?
 - d) What processes were used to treat waste generated at the facility? What was done with the waste after it was treated?

Please see response # 8, above. Declarant has no first-hand knowledge of what was done or not done at the property respecting hazardous substances, etc.

- 11) For process waste waters generated at the facility which contained any hazardous substances, including, but not limited to, the substances listed in response to questions (8) and (9):
- a) Where was the wastewater discharged and during what years?
 - b) Was the wastewater discharged into a sanitary sewer and if so, during what years?
 - c) Was the wastewater treated before being discharged to the sanitary sewer and if so, how? Please be specific.
 - d) If the wastewater was not discharged to the sanitary sewer, where was it disposed and during what years?
 - e) Please provide the results of any analyses performed on any waste process streams generated at the facility.
 - f) Have any floor drains or other disposal drains at the facility ever discharged to a location other than a sanitary sewer? If so, where did they discharge and during what years?
 - g) Did any storm sewers, catch basins or lagoons exist at any time at the facility and if so, during what years?
 - i) If catch basins or lagoons existed, were they lined or un-lined?
 - ii) What was stored in the catch basins or lagoons?
 - iii) Where was the discharge from the catch basin or lagoon released and during what years? Was this discharge treated before it was released and if so, how and during what years? What was the chemical composition of the discharge?
 - h) Please supply diagrams of any wastewater collection, transport or disposal systems at the facility, including sub-floor piping within building foundations.

Please see response # 8, above. Declarant has no first-hand knowledge of what was done or not done at the property respecting process waste waters, etc.

- 12) For each hazardous substance, including, but not limited to, the substances listed in response to question (8) or identified in the responses to question (9), above:
- a) please provide the amount generated during the operation of the facility on an annual basis.
 - b) Were any such hazardous substances disposed of in or discharged to Pierson's Creek including its unnamed tributaries? If yes, identify the hazardous substances, estimate the amount of material discharged to or disposed of in Pierson's Creek including its tributaries and the

frequency with which this discharge or disposal occurred. Also, please include any sampling of the Creek or unnamed tributary which may have been done after any discharge or disposal.

Please see response # 8, above. Declarant has no first-hand knowledge of what was done or not done at the property respecting hazardous substances, etc.

- 13) Please identify any leaks, spills, explosions, fires or other incidents of accidental material discharge that occurred at the facility during which or as a result of which any hazardous substances, including, but not limited to, the substances listed in response to questions (8) or (9), were released on the property, into the waste water or storm drainage system at the facility or to Pierson's Creek including its unnamed tributaries. Provide any documents or information relating to these incidents, including the ultimate disposal of any contaminated materials. If available, please provide the results of any sampling of the soil, water, air or other media after any such incident and before and after clean-up.

Please see response # 8, above. Declarant has no first-hand knowledge of what was done or not done at the property respecting operations, etc. The only instances of which Declarant is aware are the result of the actions of the contract-purchaser and/or its affiliates, subsidiaries, agents, representatives, employees, contractors, sub-contractors, licensees and/or consultants, which occurred sometime either in the late summer or early fall of 2019.

- 14) Was the Oberwill Corporation facility ever subject to flooding? If so, what caused the flooding?

a) Did storm sewer back-ups occur at the facility, and/or did Pierson's Creek or its unnamed tributaries overflow its banks?

b) Please provide the date and duration of each flood event.

To the best of the Declarant's knowledge and belief, the property was and is subject to flooding. The cause of the flooding is undetermined, but is likely due to the fact that one or more adjacent property owners had more or less blocked the unnamed tributary and the grade of the property probably needs to be raised. To the best of Declarant's knowledge and belief, persistent flooding is an issue in this area of Newark. It is further believed that no sewer services the property and therefore the flooding that occurs was not the result of any sewer back-ups. Declarant has no knowledge of specific flooding events other than general knowledge of an event that occurred on or about July 3, 2020.

- 15) If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

Upon information and belief, the contract-purchaser of the property conducted and continues to conduct testing at the property. The Declarant believes that John Lynch, the buyer's representative, has knowledge of testing completed to date. Additionally, buyer's transactional counsel, Darin Pinto and environmental counsel, Giordano Halleran & Ciesla (Marc Policastro, Esq.) have knowledge as well as the other professionals and contractors employed by contract-purchaser in connection with its investigations and its rogue activities on the site. An estranged family relative, Jeffrey Rueff (son of Albert and Robert Rueff), may also have information. In addition, counsel for Oberwil, Chip Dunne, Fred Dunne and Anthony Pantano, Esqs. may also have limited information to the extent received from the buyer.

- 16) Provide copies of all income tax returns, including all attachments thereto, submitted by Oberwil Corporation to the Internal Revenue Service, the State of New Jersey, and any other state in which tax returns were filed for the last three (3) years.

Attached are the two most recent tax returns for Oberwil Corporation (2016 & 2017). Oberwil Corporation has retained an accountant and will be preparing returns for 2018 and 2019.

Please be advised that Oberwil Corporation and Declarant respectfully request and assert these tax returns and schedules and filings stamped "Confidential" be treated as "Confidential" and "Confidential Business Information" and handled consistent with the highest level of confidentiality permitted by law. We ask that this remain in effect permanently and note that we have taken steps to preserve the confidentiality as far as legally permitted. The Declarant certifies that all claims for confidentiality asserted with this submission are true and correct, and all information submitted herein to substantiate such claims is true and correct. To the extent applicable, the Declarant further certifies that: (1) I have taken reasonable measures to protect the confidentiality of the information; (2) I have determined that the information is not required to be disclosed or otherwise made available to the public under any other Federal law; (3) I have a reasonable basis to conclude that disclosure of the information is likely to cause substantial harm to the competitive position of my company; and (4) I have a reasonable basis to believe that the information is not readily discoverable otherwise.

- 17) List all agreements or contracts, including but not limited to insurance policies, which may indemnify your company or business, and its present or past owners, operators, partners, and/or shareholders, with respect to any costs that you may have to pay due to EPA's response action conducted at the Site. Provide a copy of each such agreement, contract, and insurance policy. In addition, for all such insurance policies which your company or business had from the date your company began operations at the facility to the present, state the name of the insurance company providing the insurance, the type of coverage provided under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, non-sudden or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.

None. Notwithstanding the foregoing, Oberwil Corporation believes that it may have a claim against the contract-purchaser of the property and/or its unnamed affiliates, subsidiaries,

agents, representatives, employees, contractors, sub-contractors, licensees and/or consultants with respect to any such costs.

- 18) State whether any claim or claims have been made to any insurance company for any loss or damage related to operation at the Site and if so, identify each claim by stating the name of the claimant, the name and address of the insurance company, policy number, named insured on the policy, claim number, date of claim, amount of claim, the specific loss or damage claimed, the current status of the claim, and the amount, date and recipient of any payment made on the claim, including a compromise of settlement of the claim.

None.

- 19) If there are any insurance policies responsive to questions 17 or 18 above of which you are aware but neither possess copies, or are unable to obtain copies, identify each such policy to the best of your ability by identifying:
- a) The name and address of each insurer and of the insured;
 - b) The type of policy and policy numbers;
 - c) The per occurrence policy limits of each policy; and
 - d) The effective dates for each policy.

None.

- 20) Has Oberwill Corporation at any time since it terminated its active operations at the facility in Newark conveyed by gift or otherwise any asset or property interest of the company to another entity or person? If so, please provide complete information regarding such conveyance, including the following:
- a) Identify the asset or property interest transferred;
 - b) the name and address of the entity or person to whom such assets or property interest was conveyed, and the date of the conveyance;
 - c) the fair market value of such asset or property interest on the date of such conveyance; and
 - d) the consideration or payment received by you from the recipient of such conveyance in exchange for the conveyance.

To the best of Declarant's knowledge and belief, aside from serving as a holding company, Oberwil Corporation has never operated at the site. See paragraph 2 above. To the extent the Agency makes or would make this same inquiry regarding Globe Metals, the Declarant is not aware of the gift or conveyance of any responsive asset or property except as stated in the foregoing responses concerning bequests of Alfred H and Rosalyn Rueff.

- 21) Please provide a detailed description of any civil, criminal or administrative proceedings against Oberwil Corporation for violations of any local, State or federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport or disposal at or from the facility. Provide copies of all pleadings and depositions or other testimony given in these proceedings.

Declarant is only aware of the existing EPA investigation and the July 21, 2020 Notice of Violation received from NJDEP, a copy of which is attached. The Declarant and Oberwil Corporation will cooperate fully with the Agency's requests and demands as well as the NJDEP's.

- 22) Provide the name, address, telephone number, title and occupation of the person(s) answering this Request for Information and state whether such person(s) has personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the Request for Information and specify the question to which each person assisted in responding. Please include the names and addresses of former employees who were contacted to respond to any of the questions.

Alexander Decter, CEO of Oberwil Corporation

Alexander Decter is CEO of Oberwil Corporation, an heir at law and the de facto manager of the family assets. Mr. Decter received legal guidance, advice and assistance in responding from Anthony Pantano, Esq. Additional legal guidance was provided by Chip Dunne, Fred Dunne and Thomas H. Prol, Esqs.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of New Jersey:

County of Bergen:

I certify under penalty of perjury that I am authorized to respond on behalf of Oberwil Corporation, I have personally examined and am familiar with the information and all documents submitted in response to EPA's Request for Information, and based on my inquiry of those individuals immediately responsible for obtaining the information I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that Oberwil Corporation is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or its response thereto should become known or available to Oberwil Corporation.

Executed on September 15, 2020



Alexander Decter
CEO, Oberwil Corporation